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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,478	12/28/2001	Chad Gross	20338/301	2176

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EXAMINER

PITARO, RYAN F

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)	
	10/034,478	GROSS ET AL.	
	Examiner	Art Unit	
	Ryan F Pitaro	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. Claims 1-8 have been examined.

#### *Specification*

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of **50 to 150** words. It is important that the abstract **not exceed 150 words in length** since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

#### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Spears ("Spears", US# 2002/0128879).

As per independent claim 1, Spears discloses a method for presenting personalized content to a user of a website, comprising: accepting a login identifier from

the user ([0092] lines 1-2); querying a database for a first set of content, function of the login identifier ([0092] lines 7-10); wherein the first set of content is a querying the database for a second set of content, wherein the second set of content is a function of the employer for which the user is employed ([0089] lines 6-8;*depending on the employer*); and displaying the first set of content and the second set of content to the user through a web browser ([0088] lines 6-8).

As per claim 2, which is dependent on claim 1, Spears discloses a method wherein the first set of content is information on the benefits election for the user ([0092] lines 7-10).

As per claim 3, which is dependent on claim 1, Spears discloses a method wherein the second set of content is information on the benefits package of the employer ([0089] lines 9-13).

As per claim 4, which is dependent on claim 1, Spears discloses a method further comprising displaying to the user a third set of content (Figure 18); wherein the first set of content and the second set of content is information on plans administrated by a plan administrator controlling the website (Figure 17;Aetna); and wherein the third set of content is information on plans not administered by the plan administrator (Figure 18; *wherein user designs his/her own benefit design*).

As per claim 5, which is dependent on claim 1, Spears discloses a method wherein the first set of content and the second set of content are used to generate a dynamic webpage ([0089] lines 3-6).

As per claim 6, which is dependent on claim 5, Spears discloses a method wherein the dynamic webpage aggregates information from various sources (Figure 1).

As per claim 7, which is dependent on claim 1, Spears discloses generating a dynamic profile bases on the login identifier ([0122] lines 1-8)); and sending a secure email message from the user to a customer support representative ([0148] lines 4-7; *wherein email is a common means of communication*), wherein data from the dynamic profile is available to the customer support representative (Figure 1; *wherein customer service is internal and has access to all databases including the personal profile database*).

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Spears ("Spears", US# 2002/0128879).

As per claim 8, which is dependent on claim 8 Spears fails to expressly point out not having to re-authenticate after logging in. However, Official Notice is taken that it is notoriously well known in the art that after logging in no authentication of data is needed to send an email. Examples of which are: Logging onto a network such as a Windows environment and accessing the email client such as Outlook, wherein the user does not have to log in again to send an email since the user has been authenticated a first time.

Therefore it would have been obvious to combine the method of Spears with the current teaching. Motivation to do so would have been not to burden the user with multiple logins speeding up the use of the application.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US006401079B1 teaches a browser with access to multiple databases containing health benefits and employee/employer information.
- US006697783B1 teaches system to interact with operator wherein operator has access to a member's profile.
- US 20030208454A1 teaches a system wherein health information is populated through a browser and accessible to a user.
- US 2001/0037214A1 teaches a method for accessing health care plans by an employer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm Monday Through Thursdat and on alternating Fridays.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro  
Patent Examiner  
Art Unit 2174

RFP

*Kristine Kincaid*  
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